

## MANIAC KILLED IN DUEL WITH PISTOL AND AX WITH HIS EMPLOYER

**Terrific Hand-to-Hand Battle With Infuriated Chauffeur in Garage Won by C. G. Guth. Colored Man Had Wreathed Revolver From Him and Fired, But Shots Went Wild.**

### SLAYER SURRENDERS HIMSELF TO POLICE; INVESTIGATION IS MADE

BALTIMORE, Sept. 18.—In a terrific hand-to-hand combat with a crazed and infuriated colored man, armed with an ax, in his garage at 2227 Eutaw place, today, Charles G. Guth, former president of the Guth Chocolate Company, shot and mortally wounded his assailant.

The colored man, George Murphy, who had been Guth's chauffeur, died in a patrol wagon while being conveyed to St. Luke's Hospital. The bullet took effect on the right side of the lower abdomen. Mr. Guth is held pending an investigation.

For several days, according to the story told by Guth, Murphy had been acting strangely. When Guth met him in the basement this morning, Murphy was sullen. He returned insolent responses to his employer's orders, and Guth rebuked him sharply.

#### MAKES MAD RUSH WITH AX.

The rebuke seemed to inspire Murphy with murderous intent. He picked up an ax and made a mad rush for his employer. Guth managed to evade this attack, and went into the house for his revolver. He telephoned the facts to the Northern police station and then went to the garage.

He had no sooner entered than Murphy repeated his attack with the ax. Guth grappled with the infuriated chauffeur, at the same time menacing his assailant with his revolver.

Back and forth the men fought, Guth seeking to subdue Murphy without the infliction of unnecessary injuries.

Battles For Life.  
He realized, however, that he was battling for life, and every straining muscle was exerted in the struggle. Murphy, by this time, was in a murderous rage, determined, apparently, to kill.

Finally he wrested the weapon from Guth's hand, drew away, and fired two shots. Both went wild. Then Guth closed with his assailant, and again the desperate hand-to-hand struggle was resumed.

Murphy, at last, began to weaken. Mr. Guth managed to regain possession of the revolver and to pull away from the chauffeur. He fired a single shot, which took effect in Murphy's side, and the crazed man sank to the floor.

In a few minutes the patrol wagon reached the scene. The dying man was placed in the wagon and hurried away. Guth surrendered himself to the police.

Mrs. Guth and another woman member of the Guth family were in the house, overcome with terror, while the battle for life was in progress in the garage.

### House Will Ask for A Short Vacation

Anxious for a short rest from the grind incident to tariff and currency legislation, the Democrats of the House are today considering the advisability of requesting the Senate to permit the lower body to recess for two weeks or more.

The subject of a recess probably will be broached at a caucus of the House Democrats which is planned for tonight to consider a public buildings bill sponsored by Congressman Connolly of Kansas.

### Protest to Wilson On New Collector

A protest was filed today with President Wilson by Congressmen Talbot, Linthicum, and Smith of Maryland, against the movement to give the internal revenue collectorship of the Maryland district, comprising Maryland, Delaware, and the District of Columbia, to a Delaware man.

It is known that the President has had on his desk for a week, awaiting his signature, a commission for the place made out in the name of Alfred Raughter, of Delaware, a protégé of Senator Siskbury.

## THREE OF CHIEF FIGURES IN SULZER TRIAL TODAY



SENATOR FRAWLEY, Sulzer's Chief Enemy, Who Is Sitting As a Judge. SENATOR WAGNER, Who As Acting Lieutenant Governor, Called Court To Order. CHIEF JUSTICE CULLEN, Of the Court of Appeals, Who Presides at Impeachment Trial.

### I. C. C. GATHERS DATA ON PHONE SYSTEMS

Investigation to Determine Status of Companies in U. S. Is Nearing End.

An investigation, sweeping in its nature, upon which the Department of Justice plans to formulate a policy for the regulation of the telephone companies, is being completed by the Interstate Commerce Commission.

By October 1 sworn answers from practically all the telephone companies operating in the United States to twenty-three interrogatories must be on file. The telephone situation has been under investigation for months. Charges of independent companies that they were being "frozen out" of the telephone field by the Bell system were put forth during the term of Attorney General Wickersham. Mr. Wickersham referred the matter to the Interstate Commerce Commission for a finding of fact.

Attorney General McReynolds is eagerly awaiting the results of the commission's inquiry because renewed complaint is being made by independent telephone companies against the American Telephone and Telegraph Company, which controls the Bell system and the Western Union Telegraph Company. No general action will be taken by the department, however, until the commission makes its report.

The telephone companies will be compelled to bare their innermost business secrets in answering the commission's interrogatories. Information under the date of December 31, 1912, is asked as to the number of shares of each company's stock, and its par value, the total number of stockholders, whether formed by consolidation, and the manner in which the stock of competing companies was obtained. Special inquiry is made as to rates, local and toll, and through joint agreement with other companies, and the companies must say whether there has been any increase or decrease in rates from December 31, 1907, to December 31, 1912. An income statement, showing operating expenses and operating revenue, also must be given.

### Urged to Acquire Site For New Reformatory

With the request that he begin proceedings to acquire title to the property the Commissioners today sent to the Attorney General a report of a survey of the site of the proposed District reformatory adjoining the workhouse site at Occoquan, Va.

The law authorizes the Commissioners to acquire the land by purchase or condemnation, the title to be taken directly in the name of the United States. The Commissioners say that in view of the difficulty of procuring good title to the land, they believe the entire site, which comprises 1,500 acres, should be acquired by condemnation proceedings. The sum of \$32,000 is available for acquisition of the site.

## SUIT BEGUN TO FORCE USE OF FIRE-ESCAPES

Drastic Action Result of Startling Revelations of Laxity in Conforming to Law—Total of 157 Apartment Houses Are Violators—Tenants May Be Ousted.

Drastic steps were taken by the Commissioners today for the protection from fire of the occupants of apartment houses and other buildings, the owners of which, it was declared by Commissioner Newman, "have flagrantly if not impudently ignored the plain provisions of the law."

Discovering after an investigation by Inspector of Buildings Morris Hacker, that there are in the District 157 buildings not equipped with proper fire protection, the Commissioners today began court proceedings which contemplate the closing of the premises in the event of the continued refusal of the owners to comply with the fire escape regulations.

#### OFFICIALS' NOTICES IGNORED.

After repeated notices, to which it was declared no attention had been paid, suit was entered by Assistant Corporation Counsel Roger J. Whitford today against six persons to compel the erection of fire escapes and to provide apparatus necessary for the building in case of fire, or in lieu thereof to enjoin the use of the premises.

In the event of a favorable decision by the courts, the continued refusal of the owners to provide fire protection would mean that the tenants of the buildings would have to seek other quarters.

The defendants named are Leo Simons, owner of the Knickerbocker apartment house, 1329 Mintwood street place northwest; Chester A. Shaw, owner of the Holmes apartment, 229 Dent place northwest; Arthur L. Bliss, trustee of the Dorchester apartment, Twelfth and Maryland avenue southwest; Walter H. Klopfer, owner of premises at 1821 Corcoran street northwest; Sarah T. Edulis, owner of premises at 501 B street northwest; and Charles Early, owner of premises at 121 Twenty-first street northwest.

Investigation Ordered.  
The failure of the owners of certain premises to comply with the fire regulations after repeated notices, was brought recently to the attention of Commissioner Newman, with the result that he ordered the investigation.

In many buildings there are minor violations, but it is the intention of the Commissioners to demand strict compliance with the ordinance in every instance. Instead of the issuance of additional notices, it is the purpose of the board to bring court action against the owners of the property.

### SULZER WINS FIRST POINT IN HEARING

Three Additional Members of Court Will Be Permitted to Sit at Trial.

ALBANY, N. Y., Sept. 18.—Completely organized the high court of impeachment, which will pass upon the guilt or innocence of William Sulzer, elected governor of the State of New York, today recessed until 10 o'clock tomorrow morning. The only business transacted was the swearing in of the members of the court. In that initial action the Sulzer forces gained a victory.

By a ruling of Chief Judge Edgar M. Cullen, of the court of appeals, three additional members of that court, who are designated and not elected, will sit with the court. The three members, Judges Miller, Hancock, and Chase, are Republicans. It has been expected that the attorneys of the assembly impeachment would object.

But the chief judge, in announcing that he believed there could be no question of the right of these members to sit, was so emphatic and so plainly in earnest that Alton B. Parker, chief counsel for the managers, jumped to his feet and announced that the impeachment attorneys agreed with the court.

The first big fight will come tomorrow. Then the attorneys for Sulzer will assail the rules of procedure which are being prepared by a special committee composed of Senators Wagner and Brown and Judge Bartlett. In order to be able to do this the attorneys for the accused executive in entering their appearance announced that they had a preliminary motion to quash the indictment of the high court and to its membership.

Herrick, chief counsel for the governor, does not believe that the rule will carry. Under the rule of the assembly, the committee will decide every question but the actual impeachment for which a two-thirds vote is necessary. There is no question but that more than half of the members are hostile to Sulzer. But he will have raised a question on which he can get a line upon the judges of the court of appeals, the one big thing the Sulzer people want.

Herrick also objected to the swearing in of Senator Frawley and three of his associates, on the ground that they, having been active in the preparation of the impeachment proceedings, had already prejudged the case. He had a lengthy brief to present, and contemplated an argument but was curiously shut off by Judge Cullen, who stated that this was a question to be decided only after the court had been organized and the rules of procedure adopted.

Each member of the court was sworn individually. There were two absentees, making the court consist of fifty-seven members. This means that to remove Sulzer from office thirty-eight votes must be secured. It is believed that after the court is organized and the rules of procedure adopted, the number could be secured.

Personally Sulzer had no part in today's proceedings. He did not even take the trouble to come to the capitol, but remained in the executive mansion.

## NEWMAN LOSES APPEAL ON RIGHT TO QUESTION ELIGIBILITY TO OFFICE

**High Tribunal Denies Request for Reconsideration of Decision That "Home Rule Committee" Could Begin Quo Warranto Proceedings Against District Commissioner.**

### AVOIDANCE OF DELAY IS IMPORTANT, DECLARES JURIST IN HIS OPINION

A special appeal from the decision of Justice Wright, presiding in the District Supreme Court, in permitting the "home rule committee" to begin quo warranto proceedings to test the eligibility of Oliver P. Newman to hold the office of District Commissioner, was denied by the Court of Appeals today.

This means that the proceedings will be resumed in the lower court. It is expected that Attorneys Ralston & Richardson, backed by the Solicitor of the United States and possibly the Attorney General, will file a demurrer to the action next week instead of making an answer to the writ of quo warranto. The writ was made returnable within twenty days, and September 24 is the last day.

#### CHIEF JUSTICE SHEPPARD SIGNS OPINION.

Chief Justice Shepard signed the opinion denying the application for the special appeal, after having submitted the papers in the case to Associate Justice Ralston. The opinion handed down today says:

"Special appeals from interlocutory orders of this nature are granted only when it is apparent that delay and costs may probably be avoided by their allowance. In the case of this character the avoidance of delay is of special importance. There seems to be no reason why a speedy final determination may not be reached in the trial court that may be appealed from in due course, and a complete determination had that may lay the foundation for further appeal. Without considering the questions of law as presented, it is our opinion that it would be better to let the cause take its ordinary course, and for that reason the application is denied."

### JAPAN WANTS REPLY TO LAST PROPOSAL

Ambassador Chinda Calls on President After Failing to See Secretary Bryan.

Chagrined, it is said by the delay of Secretary of State Bryan in replying to the latest note of the Japanese government on the California alien land legislation, and worried by reports from Tokyo that anti-American feeling is growing stronger, Baron Chinda, Japanese ambassador, called on President Wilson today. It is understood that he urged upon the President the desirability of an early reply which will end the protracted correspondence.

Secretary Bryan had left Washington to make a speech at Richmond this afternoon before the Bankers Association there and a Chautauqua lecture this evening at Charlottesville. The ambassador had called on him yesterday, it is understood, but the interview was not satisfactory. Several days before he had also called on the Secretary of State, but the latter was hurrying for a train to make a lecture engagement.

The fourth Japanese note on the issue between the two governments was submitted to the State Department about two weeks ago, but since that time there has been no indication as to when a reply would be forthcoming.

Recently the jingo spirit has been abroad in Japan with increasing influence among the populace. Recent comment is said to run high against what the Japanese agitators are pleased to call the spineless attitude of the Japanese foreign office in dealing with the California question, and when recently several Japanese subjects were murdered in Nanking, China, outbreaks beared so serious as to force the foreign office to demand reparation and apology from China. But the feeling stirred up by that incident has been spread to include displeasure against the American Government for its attitude on the California question, and the government at Tokyo is said to be apprehensive of what might develop.

Baron Chinda's visit is believed to have been for the purpose of making more vigorous and emphatic representations to the President on the subject. Only occasionally do ambassadors negotiate directly with the President, and then only on matters of highest importance or to deliver messages from their sovereigns.

#### Blue's Chauffeur Held.

Jean L. Armours, chauffeur for Rear Admiral Victor Blue, chief of the Bureau of Navigation of the Navy Department, was held for the grand jury under \$500 by Judge Mullenbary, in Police Court today on a charge of taking his employer's automobile without permission and going on a "joy ride."

### News Bulletins

#### DOMESTIC.

Cleveland.—During the Perry centennial parade a balcony collapsed, killing one man and seriously injuring three others and two little girls.

Los Angeles.—Mrs. Clara Melcher, who made white slave charges against Prince Sulkowicz, left for Italy to be deported from some port on Gulf of Mexico.

Newark.—Louise Menchetti was killed when her machine overturned during automobile race.

Chester, Pa.—John J. Schmitt, said to have been a member of nobility of Russia, died in a cow stable.

#### FOREIGN.

Seville, Spain.—Marques Valle de la Rencia, a member of the cortes, was shot in a mysterious way while hunting with a large party of friends on his estate at San Lucas de Barrameda.

St. John, Newfoundland.—A collision with a whale caused such serious damage to the Danish steamer Wladimir Reitz that the vessel was forced to put in here for repairs.

Nice, France.—Three electric cars filled with passengers, while passing over a bridge between Grasse and Cannes, jumped the rails and fell forty feet into a ravine. Twelve persons were killed and thirty injured.

London.—A suffragette "arson squad" tried to burn down Fenchurch place, the fourteenth century country seat of Lord de l'Isle and Dudley Tunbridge, Kent.

Birmingham, England.—The strike of railroad employes, which extended here from Dublin and Liverpool, is spreading. Railroad traffic here is becoming paralyzed. Strike leaders say that before the beginning of next week rail traffic over the greater part of England will be tied up.

Berlin.—According to plans which have been approved by the Kaiser, Prince Friedrich Wilhelm will visit the United States in 1914. The tour of the prince's proposed trip around the world.